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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/625,752	07/23/2003	Steven Weinstein	007412.00212	8134
71867 7590 03/22/2010 BANNER & WITCOFF, LTD ATTORNEYS FOR CLIENT NUMBER 007412 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051			EXAMINER STOKELY-COLLINS, JASMINE N	
			ART UNIT 2423	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/625,752

Applicant(s)

WEINSTEIN ET AL.

Examiner

JASMINE STOKELY-COLLINS

Art Unit

2423

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,7,8,10,11,13-16,18-21 and 23-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2,7-8,10-11,13-16,18-21,23-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1 and 16 have been considered but are moot in view of the new ground(s) of rejection.

On page 10 of applicant's remarks, applicant argues that Patterson teaches away from using a remote control device to obtain interactive information:

For example, in col. 3 Patterson explains that the conventional system of FIG. 1 is "inadequate" for use with the Internet, and he proposes instead the system of FIG. 2, specifically including a keyboard/mouse (user input device 42). Consequently, there would be no apparent reason to modify the Patterson system to remove user input device 42 and to instead use a remote control to obtain the interactive information as well as the television information. Accordingly, these claims are distinguishable from Patterson.

The examiner disagrees that Patterson teaches away from using a remote control. Patterson specifies that the reason the system is inadequate for use with the Internet is because communications would be too slow. The shortcomings of that system are not attributed to the remote control, but rather the modem. In his alternative system, he states "Input from the user may be made directly to the microprocessor 26 through an appropriate user input device. He then lists a keyboard or mouse as examples of such, but does not exclude the use of alternative appropriate user input devices.

US Patent 5,781,228 to Sposato teaches a remote control (fig. 3) with directional buttons that control a cursor (col. 12 ll. 51-col. 13 ll. 2), for use with an

interactive programming. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a remote control with cursor movement for the benefit of allowing easy navigation and clear indication of user selections in an interactive television system.

Applicant also argues, on page 12, that Nakano is not in a relevant field of art to Patterson and therefore should not be used to reject claim 25. In order to advance prosecution, the examiner presents US Patent 5,848,352 to Dougherty et al. Dougherty addresses a similar problem as Patterson, which is how to display interactive content simultaneously with broadcast video (see abstract and fig. 1). He teaches an interactive "form object" that may appear transparently over a television display (col. 14 ll. 30-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to present graphical interactive objects transparently over a television display for the benefit of reducing the amount of obstruction to the main television portion.

2. Applicant's arguments filed on 11/4/2009 in regards to claims 14 and 23 have been fully considered but they are not persuasive.

Applicant argues on page 11 that Hidary does not teach a controller is configured to determine whether any television content is referenced in the interactive information and, in response to determining that television content is referenced in the interactive information, causing said television interface to tune to said referenced television content. The examiner disagrees. Hidary's

controller inherently determines there is television content referenced when it interprets the hyperlink selected by the user and causes the television to tune to the content. The website does not cause the tuning, but rather the client software. The client must recognize the content as television content in order to tune to it using its software.

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

15. Claim 28 is rejected under 35 U.S.C. 102(e) as being anticipated by Patterson (US 5,923,379).

Regarding claim 28, Patterson teaches a method of comprising:

initializing a display system; receiving selected web content; receiving broadcast content; receiving user preferences (which stream to display in PIP and which to display in the main window); formatting the received web content and the received broadcast content into video information according to said user

preferences; and displaying video information to simultaneously produce interactive information (col. 3 ll.11-14, 48-50, 57-col. 4 ll. 1) and a television broadcast (figure 8c);

transmitting to a display the video information to simultaneously produce interactive information including portions of the received selected web content in an interactive portion of the display and a television broadcast in a broadcast portion of the display (col. 3 ll. 57-col. 4 ll. 2);

wherein said interactive information is presented at an edge of the broadcast portion and does not obscure said broadcast portion (col. 4 ll. 1-2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536).

Regarding claim 1, Patterson teaches an information system, comprising:
a controller (fig. 3 microprocessor 26), configured to generate an image

representative signal adapted for use by a display device (col. 3 ll. 21-23);
a television interface configured to provide television information received from a television signal to the controller (fig. 3: elements 12-16); and
an interactive information interface configured to retrieve interactive information from the web and to provide the interactive information to said controller (fig. 3: modem 40);
a user input configured to receive user input and to provide the received user input to said controller (col. 3 ll. 54-56); and
a data memory configured to store user preferences (PIP capabilities col. 3 ll. 57-60);
wherein said controller is configured to obtain said interactive information in response to said user input received from the user input and television information in response to said user input (col. 3 ll. 60-col. 4 ll. 1), said controller being further configured to generate said image representative signal such that corresponding presented imagery includes: an interactive portion containing said interactive information (Internet data), and a television portion containing said television portion, wherein said interactive and said television portions are formatted according to said user preferences (col. 3 ll. 60-col. 4 ll. 2); and
Patterson does not teach the user input is a remote control comprising a plurality of buttons arranged to move a cursor; or said interactive portion is presented as an elongated horizontal portion encompassing less than half of a television screen at an edge of said television portion and does not obscure said

television portion, and wherein said television portion is arranged to encompass more than half of the television screen.

Sposato teaches a remote control (fig. 3) with directional buttons that control a cursor (col. 12 ll. 51-col. 13 ll. 2), for use with an interactive programming. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a remote control with cursor movement for the benefit of allowing easy navigation and clear indication of user selections in an interactive television system.

Logan teaches displaying internet data, such as stock prices, sports scores, email, etc in a banner displayed with broadcast programming (col. 8 ll. 39-59). Although Logan does not explicitly teach the banner being elongated in a horizontal position, a horizontal position is an obvious variation on how to display a banner, as most banners are elongated either vertically or horizontally. Further, it is typical to display a banner at an outer edge of a screen and banners (as a rule of thumb) typically occupy a smaller portion than the main display they are presented with. It would have been obvious to one of ordinary skill in the art at the time the invention was made to present internet data in a banner, as taught by Logan, for the benefit of presenting Internet information concurrently with a broadcast, while not obstructing the broadcast picture. Further, it would have been obvious to include banner at an edge of the broadcast in order to maximize the space available for a broadcast, which is usually a user's primary focus in a television environment. Presentation of the banner against a horizontal edge, I

particular, is an obvious derivation because there it is one of only two options for keeping a banner on an edge of a display (i.e. a vertical edge or a horizontal edge).

Regarding claim 16, Patterson teaches a method of displaying information comprising: initializing a display system; receiving selected web content received in response to user input; receiving television content; receiving user preferences (which stream to display in PIP and which to display in the main window); formatting the received web content and the received television content into video information according to said user preferences; and displaying video information to simultaneously produce interactive information (col. 3 ll.11-14, 48-50, 57-col. 4 ll. 1) and a television broadcast (figure 8c); transmitting to a display the video information to simultaneously produce interactive information including the received selected web content in an interactive portion of the display and a television broadcast in a television portion of the display (col. 3 ll. 57-col. 4 ll. 2);

wherein said interactive portion is presented at an edge of the television portion and does not obscure said television portion (col. 4 ll. 1-2).

Patterson does not teach user input is from a remote control device comprising a plurality of buttons arranged to move a cursor, or said interactive portion is presented as an elongated horizontal portion encompassing less than half of a television screen at an edge of said television portion and does not

obscure said television portion, and wherein said television portion is arranged to encompass more than half of the television screen.

Sposato teaches a remote control (fig. 3) with directional buttons that control a cursor (col. 12 ll. 51-col. 13 ll. 2), for use with an interactive programming. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a remote control with cursor movement for the benefit of allowing easy navigation and clear indication of user selections in an interactive television system.

Logan teaches displaying internet data, such as stock prices, sports scores, email, etc in a banner displayed with broadcast programming (col. 8 ll. 39-59). Although Logan does not explicitly teach the banner being elongated in a horizontal position, a horizontal position is an obvious variation on how to display a banner, as most banners are elongated either vertically or horizontally. Further, it is typical to display a banner at an outer edge of a screen and banners (as a rule of thumb) typically occupy a smaller portion than the main display they are presented with. It would have been obvious to one of ordinary skill in the art at the time the invention was made to present internet data in a banner, as taught by Logan, for the benefit of presenting Internet information concurrently with a broadcast, while not obstructing the broadcast picture. Further, it would have been obvious to include banner at an edge of the broadcast in order to maximize the space available for a broadcast, which is usually a user's primary focus in a television environment. Presentation of the banner against a horizontal edge, I

particular, is an obvious derivation because there it is one of only two options for keeping a banner on an edge of a display (i.e. a vertical edge or a horizontal edge).

5. Claims 2, 15, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Kikinis (US 5,929,849).

Regarding claim 2, when read in light of claim 1, Patterson teaches the information system of claim 1.

Patterson does not teach said television signal comprises a hyperlink associated with said interactive information and the controller is configured to cause interactive content corresponding to the hyperlink to be retrieved through the interactive information interface and displayed in the interactive portion.

In related art, Kikinis teaches sending URLs with broadcast television (abstract), in which activation of a hyperlink, such as the BMW icon shown in fig. 2C, results in a window displaying a BMW webpage. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include hyperlinks with the television portion sent in Patterson for the benefit of enhancing the viewers experience by providing opportunities to surf webpages related to the television programming.

Regarding claim 15, when read in light of claim 1, Patterson teaches the information system of claim 1.

Patterson does not teach the controller is configured to determine whether any web content is referenced in the television portion and, in response to determining that web content is referenced in the television portion, causing the interactive information interface to retrieve the web content referenced in the television portion and causing such web content to be displayed in the interactive portion.

Kikinis teaches the controller is configured to determine whether any web content is referenced in the television portion and, in response to determining that web content is referenced in the television portion, causing the interactive information interface to retrieve the web content referenced in the television portion and causing such web content to be displayed in the interactive portion (col. 7 ll. 48-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a user selectable element that would allow a user to access webpages related to broadcast programming for the benefit of enhancing the viewing experience with supplemental information.

Regarding claim 24, when read in light of claim 16, please see analysis of claim 15.

6. Claims 7-8, 13, 18-19, and 31-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Shoff et al (US 2001/001001160).

Regarding claim 7, when read in light of claim 1, Patterson teaches the information system of claim 1 wherein said interactive portion of said imagery is displayed in a first image panel and said television portion of said imagery comprises broadcast video imagery displayed in a second image panel (col. 3 ll. 57-col. 4 ll. 1).

Patterson does not teach said interactive portion of said imagery comprises a plurality of interactive controls.

However, Shoff teaches a system that presents both broadcast and interactive Internet data together. Shoff's interactive portion (comparable to Patterson's interactive portion) is initially represented by a menu of interactive control items that access the interactive services (see figures 8b and 8c). It would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce interactive information to a user in the form of a menu for the benefit of giving the user an organized and intuitive design to begin interactive web navigation.

Regarding claim 8, when read in light of claim 1, Patterson teaches the information system of claim 1.

Patterson does not teach said interactive portion comprises a plurality of discrete web objects including links to other web pages.

However, Shoff teaches a system that presents both broadcast and interactive Internet data together. Shoff's interactive portion (comparable to Pattersons interactive portion) is initially represented by a menu of interactive control items that access the interactive services (see figures 8b and 8c). It would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce interactive information to a user in the form of a menu for the benefit of giving the user an organized and intuitive design to begin interactive web navigation.

Regarding claim 13, when read in light of claim 1, Patterson in view of Sposato and Logan teaches the information system of claim 1.

Patterson does not teach said elongated horizontal portion comprises a menu bar comprising a plurality of interactive control buttons.

However, Shoff teaches a system that presents both broadcast and interactive Internet data together. Shoff's interactive portion (comparable to Pattersons interactive portion) is initially represented by menu control items (see figs. 8b and 8c). It would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce interactive information to a user in the form of a menu for the benefit of giving the user an organized and intuitive design to begin interactive web navigation.

Regarding claim 18, when read in light of claim 16, please see analysis of claim 13.

Regarding claim 19, when read in light of claim 16, please see analysis of claim 8.

Regarding claim 31, when read in light of claim 7, Shoff further teaches the interactive controls are displayed responsive to preferences set by a user (col. 9 ll. 30-33, where a user may choose to enter into interactive mode, which brings up the interactive control buttons).

Regarding claim 32, when read in light of claim 7, Shoff further teaches the interactive controls are displayed responsive to an alert (indicia) indicating an incoming message(URL included in the broadcast signal) (col. 3 ll. 21-23).

Regarding claim 33, see analysis of claim 31.

Regarding claim 34, see analysis of claim 32.

7. Claims 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Johnson et al (US 5,130,800).

Regarding claim 10, when read in light of claim 1, Patterson teaches the information system of claim 1.

Patterson does not explicitly teach the controller is configured to resize the television information to fit within the television portion.

Johnson teaches a method of displaying multiple windows on a television screen in which the picture in each window is compressed to fit the entire content in the displayed portion of the window (col. 2 ll. 57-64). It would have been obvious to one of ordinary skill in the art at the time the invention was made to resize the images to fit within the windows for the benefit of allowing a user to see the entire broadcast picture.

Regarding claim 21, when read in light of claim 16, please see analysis of claim 10.

8. Claims 11 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Hoarty et al (US 6,305,020 B1).

Regarding claim 11, when read in light of claim 1, Patterson teaches the information system of claim 1.

Patterson does not teach at least one of said user preferences stored in said data memory comprises a home web page that is retrieved and displayed in said interactive portion upon initialization of the information system.

Hoarty teaches a cable television system with Internet browser capabilities in which a beginning display that shows a login followed by a home page for the user (figs. 7a-7b and col. 8 ll. 27-52). It would have been obvious to provide a login screen and home page in the Internet browser interface taught by Patterson for the benefit of customizing the available content to each user's needs.

Regarding claim 20, when read in light of claim 16, please see analysis of claim 11.

9. Claims 14 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Hidary et al (US 5,774,664).

Regarding claim 14, when read in light of claim 1, Patterson teaches the information system of claim 1.

Patterson does not teach the controller is configured to determine whether any broadcast content is referenced in the interactive information and, in

response to determining that television content is referenced in the interactive information, causing said television interface to tune to said referenced television content.

Hidary teaches a television system with internet browsing capabilities in which hyperlinks on websites accessed on the television can automatically tune the television to an associated channel (col. 8 ll. 61- col. 9 ll. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow webpages to access broadcasting content for the benefit of showing a user content related to a viewed website that requires access through a broadcasting interface.

Regarding claim 23, when read in light of claim 16, Patterson teaches the information system of claim 1.

Patterson does not teach automatically determining whether any television content is referenced in the interactive information and, in response to automatically determining that television content is referenced in the interactive information, causing said television interface to tune to said referenced television content.

Hidary teaches a television system with internet browsing capabilities in which hyperlinks on websites accessed on the television can automatically tune the television to an associated channel (col. 8 ll. 61- col. 9 ll. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made

to allow webpages to access broadcasting content for the benefit of showing a user content related to a viewed website that requires access through a broadcasting interface.

10. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Dougherty (US 5,848,352).

Regarding claim 25, Patterson teaches an information system, comprising:
a controller (fig. 3 microprocessor 26), configured to generate an image representative signal adapted for use by a display device (col. 3 ll. 21-23);
a television interface configured to provide television information received from a television signal to the controller (fig. 3: elements 12-16); and
an interactive information interface configured to retrieve interactive information from the web and to provide the interactive information to said controller (fig. 3 modem 40);
an input device interface configured to receive user input and to provide the received user input to said controller (col. 3 ll. 11-14, 54-56); and
a data memory configured to store user preferences (PIP capabilities col. 3 ll. 57-60);

wherein said controller is configured to obtain said interactive information in response to said user input and television information in response to said user input (col. 3 ll. 60-col. 4 ll. 1), said controller being further configured to generate said image representative signal such that corresponding presented imagery includes: an interactive information containing said interactive information, and a television portion containing said television portion, wherein said interactive and said television portions are formatted according to said user preferences (co. 3 ll. 60-col. 4 ll. 2).

Patterson does not teach user input is from a remote control device comprising a plurality of buttons arranged to move a cursor, or said interactive portion is presented as an elongated horizontal portion encompassing less than half of a television screen at an edge of said television portion and does not obscure said television portion, and wherein said television portion is arranged to encompass more than half of the television screen, or said interactive information is presented in a translucent overlay region over the television portion, wherein the translucent overlay region does not substantially obscure the television region.

Sposato teaches a remote control (fig. 3) with directional buttons that control a cursor (col. 12 ll. 51-col. 13 ll. 2), for use with an interactive programming. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a remote control with cursor movement

for the benefit of allowing easy navigation and clear indication of user selections in an interactive television system.

Logan teaches displaying internet data, such as stock prices, sports scores, email, etc in a banner displayed with broadcast programming (col. 8 ll. 39-59). Although Logan does not explicitly teach the banner being elongated in a horizontal position, a horizontal position is an obvious variation on how to display a banner, as most banners are elongated either vertically or horizontally. Further, it is typical to display a banner at an outer edge of a screen and banners (as a rule of thumb) typically occupy a smaller portion than the main display they are presented with. It would have been obvious to one of ordinary skill in the art at the time the invention was made to present internet data in a banner, as taught by Logan, for the benefit of presenting Internet information concurrently with a broadcast, while not obstructing the broadcast picture. Further, it would have been obvious to include banner at an edge of the broadcast in order to maximize the space available for a broadcast, which is usually a user's primary focus in a television environment. Presentation of the banner against a horizontal edge, in particular, is an obvious derivation because there it is one of only two options for keeping a banner on an edge of a display (i.e. a vertical edge or a horizontal edge).

Dougherty addresses a similar problem as Patterson, which is how to display interactive content simultaneously with broadcast video (see abstract and fig. 1). He teaches an interactive "form object" that may appear transparently

over a television display (col. 14 ll. 30-35). It would have been obvious to one of ordinary skill in the art at the time the invention was made to present graphical interactive objects transparently over a television display for the benefit of reducing the amount of obstruction to the main television portion.

11. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Nakano et al (US 5,745,109), and further in view of White et al (US 6,034,689).

Regarding claim 26, when read in light of claim 25, Patterson in view of Nakano teaches the information system of claim 25.

Patterson does not teach said interactive portion comprises a plurality of web objects.

White teaches that a web page shown on a television screen may contain selectable hypertext objects (web objects) (col. 13 ll. 57- col. 14 ll. 4). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the ability to display and interact with hypertext objects and links within a webpage displayed on a television for the benefit of allowing full internet browsing capabilities on a television system. This gives the user the ability to "surf" the internet and peruse interesting links that may appear in a displayed webpage.

Patterson and White do not teach a user may navigate to a service such as electronic mail.

However, Logan teaches displaying e-mail as one of the contents of a banner (col. 8, ll. 53-59). It would have been obvious to one of ordinary skill in the art at the time the invention was made to also provide the user access to email services for the benefit of allowing the user access to one of the more popular services provided by the internet.

12. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Nakano et al (US 5,745,109), and further in view of White et al (US 6,034,689), and further in view of Hidary.

Regarding claim 29, when read in light of claim 28, Patterson does not teach the interactive information presented in the translucent overlay region comprises a plurality of web graphics including television signals.

Hidary teaches a television system with internet browsing capabilities in which hyperlinks on websites accessed on the television can include a hyperlink to a television channel (col. 8 ll. 61- col. 9 ll. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow webpages to access broadcasting content for the benefit of showing a user

content related to a viewed website that requires access through a broadcasting interface.

13. Claims 27 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Nakano et al (US 5,745,109), and further in view of Gerace (US 5,848,396).

Regarding claim 27, when read in light of claim 25, Patterson in view of Nakano teaches the information system of claim 25.

Patterson in view of Nakano does not teach the interactive information presented in the translucent overlay region comprises an animated ticker. Tickers are known in the art and are common web objects. They are common on news websites, email websites, and web provider homepages. Gerace teaches customized tickers for an Internet user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow a user access to web tickers on Internet pages accessed through the Internet capabilities of Patterson in view of Nakano for the benefit of providing information about news, stocks, sport, etc in a condensed manner.

Regarding claim 30, see analysis of claim 27.

16. Claims 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Dougherty (US 5,848,352), and further in view of Shoff (US 6,240,555 B1).

Regarding claim 35, when read in light of claim 26, Patterson does not teach the interactive controls are displayed responsive to preferences set by a user

Shoff teaches a system that presents both broadcast and interactive Internet data together. Shoff's interactive portion (comparable to Patterson's interactive portion) is initially represented by menu control items (see figs. 8b and 8c). It would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce interactive information to a user in the form of a menu for the benefit of giving the user an organized and intuitive design to begin interactive web navigation. Shoff further teaches the interactive controls are displayed responsive to preferences set by a user (col. 9 ll. 30-33, where a user may choose to enter into interactive mode, which brings up the interactive control buttons).

Regarding claim 36, when read in light of claim 26, Patterson does not teach the interactive controls are displayed responsive to an alert indicating an incoming message.

Shoff teaches a system that presents both broadcast and interactive Internet data together. Shoff's interactive portion (comparable to Patterson's interactive portion) is initially represented by menu control items (see figs. 8b and 8c). It would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce interactive information to a user in the form of a menu for the benefit of giving the user an organized and intuitive design to begin interactive web navigation. Shoff further teaches the interactive controls are displayed responsive to an alert (indicia) indicating an incoming message (URL included in the broadcast signal) (col. 3 ll. 21-23).

17. Claim 37 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Sposato (US 5,781,228) and Logan et al (US 5,892,536), and further in view of Dougherty (US 5,848,352), and further in view of Gerace and Shoff (US 6,240,555 B1).

Regarding claim 37, when read in light of claim 25, Patterson does not teach the translucent overlay region comprises a first translucent region comprising an animated ticker presented near a top edge of the display device and a second translucent region comprising a plurality of selectable buttons presented along a

horizontal edge of the display device.

Tickers are known in the art and are common web objects. They are common on news websites, email websites, and web provider homepages. Gerace teaches customized tickers for an Internet user. It would have been obvious to one of ordinary skill in the art at the time the invention was made to allow a user access to web tickers on Internet pages accessed through the Internet capabilities of Patterson in view of Nakano for the benefit of providing information about news, stocks, sport, etc in a condensed manner.

Shoff teaches a system that presents both broadcast and interactive Internet data together. Shoff's interactive portion (comparable to Patterson's interactive portion) is initially represented by menu control items (see figs. 8b and 8c). It would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce interactive information to a user in the form of a menu for the benefit of giving the user an organized and intuitive design to begin interactive web navigation.

Regarding applicant's claimed layout, the presentation of additional information in a banner presented with a television picture is known, as well as presenting interactive objects transparently over a television picture in order to not obscure too much of the picture. Further, placing a banner along an edge of a screen is widely practiced (see analysis of claim 25). Placing the known components of an animated ticker and an interactive menu in separate banners, on different edges of a television screen is an obvious design choice given the previously discussed

design elements (banners on edges, translucency), as tickers are normally placed on an edge (i.e. weather alerts during television broadcasts, stock tickers on CNN, "breaking news" alerts on various networks). The same can be said for banners (i.e. internet advertising, information bars on television providing programming information or closed captioning).

18. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Patterson (US 5,923,379) in view of Shoff (US 6,240,555 B1).

Regarding claim 38, when read in light of claim 28, Patterson does not teach displaying a plurality of interactive control buttons at least one of which is displayed responsive to an alert indicating an incoming message.

Shoff teaches a system that presents both broadcast and interactive Internet data together. Shoff's interactive portion (comparable to Patterson's interactive portion) is initially represented by menu control items (see figs. 8b and 8c). It would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce interactive information to a user in the form of a menu for the benefit of giving the user an organized and intuitive design to begin interactive web navigation. Shoff further teaches the interactive controls are displayed responsive to an alert (indicia) indicating an incoming message (URL included in the broadcast signal) (col. 3 ll. 21-23).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JASMINE STOKELY-COLLINS whose telephone number is (571) 270-3459. The examiner can normally be reached on M-F 9:30-5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272-7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jasmine Stokely-Collins/
Examiner, Art Unit 2423

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